

Notice of Allowability

Application No.

09/845,362

Applicant(s)

HAYNES ET AL.

Examiner

Art Unit

Yogesh C. Garg

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to a Decision on Appeal by BPAI on 4/21/2006.
2. ☒ The allowed claim(s) is/are 1-4 and 13-28.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Yogesh C Garg
Primary Examiner
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DETAILED ACTION

1. This action is being written pursuant to the Decision of Board of Appeal on 4/21/2006.

Allowable Subject Matter

2. Claims 1-4 and 13-28 are allowed. Claims 1 and 19 are independent, claims 2-4 and 13-18 are dependencies of claim 1 and claims 20-28 are dependencies of claim 26.

The following is an examiner's statement of reasons for allowance:

Reasons for Allowance

Claims 1-4 and 13-28

3. The prior art of record neither anticipates nor renders obvious a method and a system for managing an electronic commerce shopping cart relating to communication between a shopper and a server over a communication network, comprising, inter alia, determining by the server whether a shopping command of the shopper has changed an attribute of a primary item in the shopping cart; after the server has determined that the shopping command has changed the attribute of the primary item in the shopping cart, identifying by the server a secondary item in the shopping cart linked to the primary item; and changing by the server a corresponding attribute of the secondary item in response to the change in the attribute of the primary item (see independent claims 1 & 19).

The claimed subject matter is supported by the disclosure (see applicant's "summary of invention " on pages 2-3 of the Appeal Brief filed on 6/13/2005.

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4. Discussion of most relevant prior art:

Henson's reference (US Patent 6,167,383) has been identified as most relevant prior art to the claimed invention(s). Henson discloses an online method and system for enabling custom configuration of computer and accessories by using a configurator wherein the user could add or delete items/options in a shopping cart specific to a selected chassis (see at least col.1, lines 18-66, Fig.1, col.9, lines 26-60 and col.10, lines 7-16) but can switch to another chassis, that is another primary item, only after exiting from the configurator and restarting again from the welcome page by choosing another chassis which will again enable the user a custom configuration by adding or deleting options/items via the configurator. Henson does not disclose that when a user switches to a different chassis, a server changes the attributes of a secondary item in the shopping cart as required by the applicant's invention.

The arguments by the applicant (see pages 2-7, Supplemental Appeal Brief filed on 11/14/2005) and the Decision by Board of Appeals (see pages 3-4) that the reference Henson neither anticipates nor renders obvious the applicant's invention as underlined above.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh C. Garg whose telephone number is 571-272-6756. The examiner can normally be reached on M-F(8:30-4:00).

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Yogesh C Garg
Primary Examiner
Art Unit 3625

YCG
7/3/2006